

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

BRISTOL-MYERS SQUIBB COMPANY,

Plaintiff,

V.

HANDA ONCOLOGY, LLC,

Defendant.

Civil Action No. 3:22-cv-06968-TLT

STIPULATION AND ORDER OF DISMISSAL

WHEREAS, Plaintiff Bristol-Myers Squibb Company has asserted certain claims with respect to United States Patent Nos. 7,491,725 and 8,680,103 against Defendant Handa Oncology, LLC;

WHEREAS the parties have resolved all outstanding issues between them relating to this action;

IT IS this 16 day of June, 2023

ORDERED, ADJUDGED AND DECREED as follows:

1. All claims, counterclaims, and defenses asserted by any of the undersigned parties against any other undersigned party in the above matter are dismissed without prejudice.

2. Each party shall bear its own costs and attorneys' fees.

3. This Court retains jurisdiction to enforce this Stipulation and Order of Dismissal, and any agreements between the parties related to this Stipulation and Order of Dismissal.

4. By July 17, 2023, the parties shall file a joint status report updating the Court on the status of the parties' agreement and notifying the Court whether the parties request that the Court continue to retain jurisdiction.

2

We consent to the form and entry of the foregoing Stipulation and Order of Dismissal.

/s/ Yan-Xin Li

Jeanna M. Wacker (admitted *pro hac vice*)
jeanna.wacker@kirkland.com
Christopher Jagoe (admitted *pro hac vice*)
christopher.jagoe@kirkland.com
Sam Kwon (admitted *pro hac vice*)
sam.kwon@kirkland.com
Christopher Ilardi (admitted *pro hac vice*)
chris.ilardi@kirkland.com
KIRKLAND & ELLIS
601 Lexington Avenue
New York, NY 10022
Tel: (212) 446-4800

Yan-Xin Li (SBN 332329)
yanxin.li@kirkland.com
KIRKLAND & ELLIS LLP
555 California Street
San Francisco, CA 94104
Tel. (415) 439-1400
Fax (415) 439-1500

*Attorneys for Plaintiff
Bristol-Myers Squibb Company*

/s/ *Don J. Mizerk*

Don J. Mizerk (SBN: 208477)
HUSCH BLACKWELL LLP
120 South Riverside Plaza, Suite 2200
Chicago, Illinois 60606

1999 Harrison Street, Suite 700
Oakland, CA 94612
Telephone: (312) 655 1500
Facsimile: (312) 655 1501
don.mizerk@huschblackwell.com

*Attorneys for Defendant Handa Oncology
LLC*

Dated: June 16, 2023

SO ORDERED:

TRINA L. THOMPSON
United States District Judge